IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2525 OF 1999

Petroleum Employees Union & Anr. ..Petitioners

Vs.

M/s.Andrew Yule & Co. & Ors. ..Respondents

Ms.Sonali Humane i/b. Mr.S.S.Pakale for the Petitioners.
Mr.Mr.Milind Sathe i/b.Mr.Raj Baid for Respondent No.2.

CORAM :- DR.S.RADHAKRISHNAN &
SMT.V.K.TAHILRAMANI,JJ.
DATE : 27TH NOVEMBER, 2006

P.C.

1. Heard the learned Counsel for the Petitioners and the learned Counsel for Respondent No.2. By this Petition, the Petitioners are seeking a Writ of Certiorari and Writ of Mandamus against Respondent No.2, which is a Limited Company and there is no public law element at all is involved in the above matter.

2. The learned Counsel for the Petitioners brought to our notice a Full Bench Judgment of our Court in the case of **D.S.Veer Ranji Vs. Ciba Specialty Chemicals (I) Ltd. & Ors. 2002(1) Bom.C.R.29**, wherein this Court has clearly held that a Writ cannot lie for enforcement of private contract of employment and that there was no public law element involved at all. The aforesaid judgment was challenged before the Hon'ble Supreme Court, which

rejected the same by its Judgment and Order in the case of **Binny Ltd. and Another Vs. V.Sadasivan and Ors. with D.S.Veer Ranji Vs. Ciba Speciality Chemicals (I) Ltd. and Ors., (2005)6 SCC 657** upholding the above Full Bench judgment.

3. Under the aforesaid facts and circumstances, we are clearly of the view that the Writ Petition itself is not maintainable. Hence, Rule stands discharged.

(DR.S.RADHAKRISHNAN,J.)

(SMT.V.K.TAHILRAMANI,J.)